

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

B. B., a minor, by and through his mother)	
and next friend, OWENA KNOWLES,)	
)	
Plaintiff,)	
)	
v.)	3:06-CV-00715-MHT-DRB
)	
PAWN CITY, INC., INTERSTATE ARMS)	
CORPORATION, NORINCO a/k/a CHINA)	
NORTH INDUSTRIES CORPORATION, et al)	
)	
Defendants.)	

O R D E R O N M O T I O N

In this products liability action removed on August 10, 2006, from the Circuit Court of Chambers County, the Clerk has docketed with the record transferred from state court these discovery motions filed under Rule 37, Alabama Rules of Civil Procedure:

(1) *a Motion to Compel* by Defendant Interstate Arms Corporation, transmitted for service on October 11, 2005 (Doc. 2-3), and

(2) *Plaintiff's Motion*, transmitted in November 2005, *to Compel Discovery Responses Propounded to Pawn City, Inc.* (Doc. 2-5)

For good cause after review of the motions pending in state court for more than nine months, and considering the pendency of the deadline for any remand motion, it is **ORDERED** that:

1. All *Motions to Compel* docketed in this court from the state court file are **DENIED** without prejudice for re-filing as may be necessary pursuant to the Federal Rules of Civil Procedure.

2. Counsel for the parties involved in these *Motions to Compel* – Plaintiff, Defendant Interstate Arms Corporation and Defendant Pawn City – shall confer not later than September 15, 2006, in a good-faith effort to resolve any remaining disputes arising from the Rule 37 motions filed in state court. If they are unable to resolve any good-faith differences, any *Motion to Compel* deemed necessary shall be filed, pursuant to the Federal Rules of Civil Procedure, by September 26, 2006, and shall certify therein the parties’ good-faith efforts in compliance with this Order.

Done this 21st day of August, 2006.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE